



# NATIONAL RAILWAY UTILIZATION CORP.

1100 Centre Square East / 1500 Market Street / Philadelphia, Pennsylvania 19102 / (215) 569-2220

September 28, 1978

Interstate Commerce Commission  
Room 1227  
12th & Constitution Ave., N.W.  
Washington, D.C. 20024  
Attn: Mrs. Lee

RECORDATION NO. 9704-B Filed 1425

SEP 29 1978 9 10 AM

INTERSTATE COMMERCE COMMISSION

8-272A031

SEP 29 1978

Date

Fee \$ 10

Washington, D. C.

Dear Mrs. Lee:

Enclosed please find a Filing Removal Instrument made September 25, 1978, by National Railway Utilization Corporation and Middletown & New Jersey Railway Co., Inc.

This instrument removes from the records of the Interstate Commerce Commission the following documents:

1. Lease agreement made August 30, 1978, between National Railway Utilization Corporation and Middletown & New Jersey Railway Co., Inc. as Number # 9704-A.
2. Security agreement made August 30, 1978 by Middletown & New Jersey Railway Co., Inc. in favor of National Railway Utilization Corporation recorded September 22, 1978, as Number #9704.

Also enclosed is a check in the amount of \$10.00 as the fee associated with this Filing Removal Instrument.

The address of National Railway Utilization Corporation is:  
1100 Centre Square East, 1500 Market Street, Philadelphia, Pennsylvania 19102.

The address of Middletown & New Jersey Railway Co., Inc. is: 14 East Main Street, Middletown, New York 10940.

Sincerely,

Richard J. Kelly  
Vice President of Transportation

/cmh

Enclosures

RECEIVED

SEP 29 9 10 AM '78

I.C.C.  
FEE OPERATION BR.

*Christine M. Lee*  
*Christine M. Lee*

**Interstate Commerce Commission**  
**Washington, D.C. 20423**

**9/29/78**

**OFFICE OF THE SECRETARY**

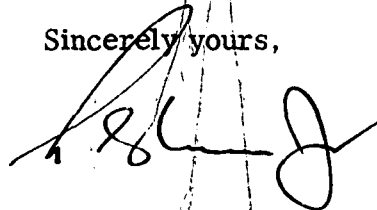
**Richard J. Kelly**  
**National RYW Utilization Corp**  
**1100 Centre Square East**  
**1500 Market Street**  
**Phila. Pa. 19102**

**Dear**

**Sir:**

The enclosed document(s) was recorded pursuant to the  
provisions of Section 20(c) of the Interstate Commerce Act,  
49 U.S.C. 20(c), on **9/29/78** at **9:10am**  
and assigned recordation number(s) **9704-B**

Sincerely yours,



**H.G. Homme, Jr.,**  
**Acting Secretary**

**Enclosure(s)**

**SE-30-T**  
**(2/78)**

## FILING REMOVAL INSTRUMENT

SEP 29 1978 - 9 10 AM

INTERSTATE COMMERCE COMMISSION

Filing Removal Instrument made this 28th day of September, 1978, by National Railway Utilization Corporation, a South Carolina corporation (NRUC) and Middletown & New Jersey Railway Co., Inc., a New York corporation (MNJ),

WHEREAS, NRUC and MNJ have entered into a Lease Agreement made as of August 30, 1978, for the lease of 75 Type XM 50 foot railroad boxcars (Lease); and

WHEREAS, the Lease was recorded on September 22, 1978 with the Interstate Commerce Commission as number 9704-A; and

WHEREAS, MNJ has entered into a Security Agreement dated as of August 30, 1978 in favor of NRUC covering certain items associated with 75 Type XM 50 foot railroad boxcars (Security Agreement); and

WHEREAS, the Security Agreement was recorded on September 22, 1978 with the Interstate Commerce Commission as number 9704; and

WHEREAS, NRUC and MNJ wish to remove the Lease and Security Agreement from the records of the Interstate Commerce Commission without, however, affecting the validity of such agreements between the parties which executed them;

NOW, THEREFORE, NRUC and MNJ do hereby order and direct that the Lease and the Security Agreement be removed and released from the records of the Interstate Commerce Commission until such time as each might be refiled by NRUC. This removal and release of record shall in no way be construed to affect the validity or force of: (a) the Lease as to NRUC or MNJ or (2) the Security Agreement as to NRUC or MNJ.

In the presence of

[Signature]

NATIONAL RAILWAY UTILIZATION  
CORPORATION

By: [Signature]  
President

Edith Shelling  
and  
Michael J. Curry

MIDDLETOWN & NEW JERSEY RAILWAY  
CO., INC.

By: [Signature]  
President

\* \* \* \*

STATE OF Pennsylvania )  
COUNTY OF Philadelphia )

PROBATE

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named National Railway Utilization Corporation, by its duly authorized officer, sign, seal and as its act and deed deliver the within written Filing Removal Instrument, and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN TO BEFORE ME THIS 28th  
DAY OF September, 1978.

[Signature]  
Notary Public for

My commission expires:

DARLENE MARQUETTE  
Notary Public, Phila., Phila. Co.  
My Commission Expires Sept. 13, 1992

STATE OF New York )  
COUNTY OF ORANGE )

PROBATE

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named Middletown & New Jersey Railway Co., Inc., by its duly authorized officer, sign, seal and as its act and deed deliver the within written Filing Removal Instrument, and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN TO BEFORE ME THIS 28th  
DAY OF SEPTEMBER, 1978.

Notary Public for

My commission expires: 3/30/79

[Signature]  
WILLIAM F. IMHOLZ, JR.  
Notary Public, in the State of New York  
Orange County  
Commission Expires Mar. 30, 1979